

19 September 1988
OCA 3126-88

MEMORANDUM FOR: See Distribution

FROM: Legislation Division
Office of Congressional Affairs

STAT

SUBJECT: Conference Report on FY '89 Intelligence
Authorization: House and Senate Passage
Clears Measure For President

1. On 14 September 1988, the House passed the conference report on H.R. 4387, the Intelligence Authorization bill for Fiscal Year 1989.

2. Attached is a copy of the accompanying floor debate (Congressional Record, 14 September 1988, pp. H7565-69). You will note the extensive discussion among the Members concerning the mission of the Security Evaluation Office (SEO). This office worked with Congressional staff to modify some of the statements originally proposed for the Stokes-Fascell colloquy and to help shape the Hyde statement.

3. The Senate passed the report without debate on 15 September, thus clearing the measure for Presidential action which is expected within the next few days.

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Attachments
as stated

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OCA, 19 Sep 88

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by the gentleman from California [Mr. DANNEMEYER] to the motion to instruct conferees offered by the gentleman from Massachusetts [Mr. CONTE].

The amendment to the motion to instruct conferees was agreed to.

The SPEAKER pro tempore. The question is on the motion to instruct conferees offered by the gentleman from Massachusetts [Mr. CONTE], as amended.

The motion to instruct conferees, as amended, was agreed to.

The SPEAKER pro tempore. The Speaker will appoint conferees when he returns and resumes the chair.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Kalbaugh, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On September 8, 1988:

H.J. Res. 539. Joint resolution designating the week beginning September 18, 1988, as "Emergency Medical Services Week";

H.J. Res. 583. Joint resolution designating the week beginning September 11, 1988, as "National Outpatient Ambulatory Week";

H.R. 2370. An act to provide for the establishment of an economic development plan for, and Federal services and assistance to, the Northwestern Band of the Shoshoni Nation, and for other purposes;

H.R. 3679. An act to clarify the Federal relationship to the Lac Vieux Desert Band of Lake Superior Chippewa Indians as a distinct Indian tribe, to clarify the status of members of the band, to transfer title to trust lands, and for other purposes; and

H.R. 3960. An act to authorize the establishment of the Charles Pinckney National Historic Site in the State of South Carolina, and for other purposes.

On September 9, 1988:

H.R. 1841. An act to provide for the establishment of additional safety requirements for fishing industry vessels, and for other purposes;

H.R. 4143. An act to establish a reservation for the Confederated Tribes of the Grand Ronde Community of Oregon, and for other purposes;

H.R. 4318. An act to improve the administration of the personnel systems of the General Accounting Office; and

H.R. 5174. An act to make clarifying, corrective, and conforming amendments to laws relating to Indian education, and for other purposes.

On September 13, 1988:

H.R. 1158. An act to amend title VIII of the Act commonly called the Civil Rights Act of 1968, to revise the procedures for the enforcement of fair housing, and for other purposes.

□ 1530

CONFERENCE REPORT ON H.R. 4387, INTELLIGENCE AUTHORIZATION ACT, FISCAL YEAR 1989

Mr. STOKES. Mr. Speaker, I call up the conference report on the bill (H.R. 4387) to authorize appropriations for fiscal year 1989 for intelligence and in-

telligence-related activities of the U.S. Government, for the Intelligence Community Staff, for the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. GRAY of Illinois). Pursuant to the rule, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of August 11, 1988.)

The SPEAKER pro tempore. The gentleman from Ohio [Mr. STOKES] will be recognized for 30 minutes, and the gentleman from Illinois [Mr. HYDE] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Ohio [Mr. STOKES].

Mr. STOKES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of the conference report to accompany H.R. 4387, the Fiscal Year 1989 Intelligence Authorization Act. This was an intelligence conference on which the two committees reached swift agreement. Essentially, in terms of legislative content, it includes the House provisions and several Senate provisions not originally found in the House bill. These include a requirement for regular reports to the Intelligence Committees on the appointment and activities of the CIA's Inspector general and 1-year special death gratuity extended for defense attaches killed because of hostile or terrorist acts.

The funding authorized by the bill, which is set forth in the classified schedule of authorization incorporated by reference, is described in detail in the classified annex to the statement of managers accompanying the conference report. Both are available for the review of all Members of the House in the Offices of the Intelligence Committee. I can say that your committee is pleased with the recommendations for funding contained in those documents.

I wish to commend all members of the Committee on Conference for their participation throughout the year in the budget authorization process and, particularly, the gentleman from Wyoming [Mr. CHENEY], the ranking minority member of the Subcommittee on Program and Budget Authorization. As always, the committee has relied greatly on the assistance and helpful cooperation of Mr. HYDE, the ranking minority member of the full committee, in reaching this conference agreement.

Mr. Speaker, I believe that the impression is sometimes given that the Intelligence Committee is deeply divided on partisan basis. It is true that there are such issues from time to time but, in my experience as a member of this committee and particularly as chairman, they have been rare and, where the divisions have occurred, they have been on principle. They have been fairly debated and

Members have debated the issues with respect for each other's sincerely held positions.

But this bill, which represents the major, annual recurring work of the committee, reflects, as it has for so many years before, strong bipartisan agreement by all members of the Committee on the appropriate level of resources and administrative authorities for our Intelligence Services. These agencies are, as I have said in the past, among the finest, if not the finest, in the world.

The committee believes that the level of funding recommended in the conference report is appropriate and will sustain the kind of intelligence capabilities and the level of intelligence activities necessary to protect this country and provide its policymakers and military commanders with the necessary intelligence information. Obviously, we would all wish that more resources were available for intelligence but they are not available and likely will not be available in the years to come at the same levels of growth as they have been in the past. Therefore, the intelligence challenge we will face in the future will be a tougher one than that which we now face. We will have to do more with less in the years to come. I think, however, that the recommendations of the Committee of Conference for fiscal year 1989 will stand us in good stead by permitting a level of intelligence activity sufficient to support U.S. foreign, defense, and economic programs.

I should note in closing that the fiscal year 1989 authorization levels recommended in the conference report are consistent with the budget resolution and fully congruent with those recommended in the fiscal year 1989 defense authorization bill vetoed by the President.

Mr. Speaker, this conference report is rather straightforward and fully supported on both sides of the aisle. I endorse it wholeheartedly and urge its adoption by the House.

Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. FASCELL], the distinguished chairman of the Committee on Foreign Affairs.

Mr. FASCELL. Mr. Speaker, I thank the gentleman for yielding time to me. I rise in support of the conference report, and I rise also for the purpose of making some legislative history here.

Mr. Speaker, I would like to engage the gentleman from Ohio, the distinguished chairman of the Intelligence Committee, in a colloquy. It is my understanding that the conference report currently before the House authorizes the appropriation of funds and personnel positions for the Office of Security Evaluation [SEO] under the direction of the Director of Central Intelligence.

It is my understanding that the Secretary of State and the Director of

Central Intelligence are currently negotiating the parameters of the SEO in order that this unit can best assist the Secretary of State with respect to counterintelligence security standards at U.S. diplomatic facilities abroad.

It is my further understanding that there is at present a disagreement between the Secretary and the Director of Central Intelligence on the specific functions of the SEO. The Director believes that the SEO should independently set security standards for U.S. missions overseas.

The Secretary of State, however, under the law, is required to set such standards and insists that the SEO's function must be advisory to him. It is clear that this should be worked out amicably. The reason I raise this issue is that, while the Secretary of State sets and implements security standards, clear improvements in this area are imperative. Therefore, the technical expertise of the entire intelligence community must be put to work to collaborate in recommending standards that meet the threat. It is the Secretary's responsibility to set these standards and to see to it that they are enforced. It should be the SEO's responsibility to monitor compliance and to independently and objectively evaluate compliance.

Is it your understanding that the intent of this authorization is to authorize a joint operation under the Director of Central Intelligence which will be staffed with personnel from the Department of State and from other intelligence agencies? Furthermore, is it also your understanding that the intent of this authorization is to permit SEO to:

Inspect U.S. diplomatic facilities abroad and make appropriate recommendations with respect to counterintelligence security matters, and

Provide the necessary technical assistance and personnel to formulate and recommend counterintelligence security standards to the Secretary of State.

Finally, Mr. Speaker, is it also the understanding of the gentleman that this authorization does not lessen, change in any way, or otherwise conflict with the statutory authority of the Secretary of State to set security standards for our diplomatic and consular facilities overseas?

Mr. STOKES. Mr. Speaker, if the gentleman will yield, those are my understandings. The reason for this dispute is that there have been a series of failures in the security of U.S. missions overseas. It is my hope that this disagreement will be resolved swiftly and that the Secretary and the Director can agree on procedures that permit full and careful consideration of all counterintelligence and security issues before standards are promulgated. If not, the President should quickly act to make the necessary decisions.

Mr. FASCELL. I thank the distinguished chairman for his statement. Mr. Speaker, I include section 103 of

Public Law 99-399, the Omnibus Diplomatic Security and Anti-Terrorism Act of 1986, regarding the Secretary of State's authority and responsibility with respect to embassy security in the RECORD at this point.

SEC. 103. RESPONSIBILITY OF THE SECRETARY OF STATE

(a) **SECURITY FUNCTIONS.**—The Secretary of State shall develop and implement (in consultation with the heads of other Federal agencies having personnel or missions abroad where appropriate and within the scope of the resources made available) policies and programs, including funding levels and standards, to provide for the security of United States Government operations of a diplomatic nature and foreign government operations of a diplomatic nature in the United States. Such policies and programs shall include—

(1) protection of all United States Government personnel on official duty abroad (other than those personnel under the command of a United States area military commander) and their accompanying dependents;

(2) establishment and operation of security functions at all United States Government missions abroad (other than facilities or installations subject to the control of a United States area military commander);

(3) establishment and operation of security functions at all Department of State facilities in the United States; and

(4) protection of foreign missions, international organizations, and foreign officials and other foreign persons in the United States, as authorized by law.

(b) **OVERSIGHT OF POSTS ABROAD.**—The Secretary of State shall—

(1) have full responsibility for the coordination of all United States Government personnel assigned to diplomatic or consular posts or other United States missions abroad pursuant to United States Government authorization (except for facilities, installations, or personnel under the command of a United States area military commander); and

(2) establish appropriate overseas staffing levels for all such posts or missions for all Federal agencies with activities abroad (except for personnel and activities under the command of a United States area military commander).

(c) **FEDERAL AGENCY.**—As used in this title and title III, the term "Federal agency" includes any department or agency of the United States Government.

Mr. HYDE. Mr. Speaker, I yield myself such time as I may consume.

(Mr. HYDE asked and was given permission to revise and extend his remarks.)

Mr. HYDE. Mr. Speaker, I have listened to the colloquy between the two distinguished gentlemen and would like to add a few words.

I agree that this law does not purport to change any of several previous statutory provisions on authorities in this area. But we should also clarify that our colloquy is not intended to influence the manner in which the ongoing debate between the CIA and the State Department is resolved. That debate concerns whether the SEO should have additional authorities.

In my understanding, some contend that certain of the Secretary of State's traditional powers over embassy security already have been, or in the

future should be, delegated to others—as allowed within the law. Some believe, for instance, that a prior memorandum between Mr. Shultz and Mr. Webster and a letter from Colin Powell delegated responsibilities to the Security Evaluation Office. Another issue is whether a formal appeals procedure should exist if the Secretary of State disregards the SEO's advice on standards, enforcement, or other measures.

There are differing opinions within the Congress on where the agencies should compromise and on what decision the President should make if the issue goes to him. But, as Mr. STOKES and Mr. FASCELL point out, that is where the decision should be made.

Being in the unique position of serving on both the Intelligence and Foreign Affairs Committees, I would like to add here a special plea. I certainly do not wish to see these proud bodies become a mere pawn in various turf battles, rather than concentrating on exercising their oversight function to ensure that the job gets done. This would cause lasting bitterness between the committees and impede desperately needed security improvements.

Just as I believe the State Department and the intelligence agencies must work together if these severe, worldwide, and long-term security problems are to be solved, so too I believe the Foreign Affairs and Intelligence Committees must cooperate closely and harmoniously. It will take all our combined wisdom, influence, and budgetary authorities to reverse decades of neglect. This is no time for jurisdiction battles, and there is plenty of work to go around. The Intelligence Committee certainly does not intend to diminish the Foreign Affairs Committee's role. On the contrary, we deeply appreciate the excellent work already done in this area by Mr. FASCELL and my other colleagues. We anticipate their further initiatives. Those of us on the Intelligence Committee wish to coordinate closely with them and complement their actions through our own measures.

Mr. Speaker, I want to join my distinguished colleague and good friend, Mr. STOKES, the esteemed chairman of the House Permanent Select Committee on Intelligence in urging the House to adopt this conference report. The chairman has adroitly summarized the main provisions of the conference report on H.R. 4387, the Intelligence Authorization Act for Fiscal Year 1989.

As noted already, it authorizes a classified amount for carrying on a range of important U.S. intelligence activities. It retains the House-passed provision which codifies the Defense Intelligence Agency's current policy to disclose to the next of kin all live sighting reports of any U.S. citizens who were POW's, MIA's, or otherwise unaccounted for in the Vietnam conflict. The conference report also in-

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cludes the House bill's provision to establish a demonstration project to determine the effects of lump sum and periodic payments on the recruitment and retention of personnel and on field investigations in the New York field division of the Federal Bureau of Investigation. That field division has extremely important and taxing counterintelligence responsibilities. It is expected that the demonstration project will help us determine whether the proposed economic incentives will enhance counterintelligence capabilities in that significant locale.

The statement of managers accompanying the conference report notes with approval the efforts thus far of the intelligence community to support law enforcement agencies in their narcotics interdiction responsibilities. The conferees request a report from the Secretary of Defense and the Director of Central Intelligence, in concert with law enforcement officials, on this important subject by March 1, 1989. The statement of managers further makes clear that, while some progress has been made, we remain concerned about the intelligence community's foreign counterintelligence and security programs. The conference report therefore calls upon the Director of Central Intelligence to conduct a comprehensive review of the organization and effectiveness of U.S. counterintelligence and security efforts and report to the House and Senate Intelligence Committees his views on these matters with the fiscal year 1990 budget.

Of course, I cannot feel enthusiasm for every provision of the conference report. In particular, I, as well as the other Republican members of the Intelligence Committee, continue to believe that the usual annual prohibitory provision in this conference report against support to the Nicaraguan democratic resistance for military or paramilitary operations is a tragic mistake and cruel injustice. Nevertheless, as has been the case in recent years, the issue of aid to the Nicaraguan freedom fighters has been addressed in other legislation.

At this point in time, it is appropriate to remind the House that this will probably be the last intelligence authorization bill which Chairman STOKES will manage on the floor of this House. I for one, and I am certain the rest of the committee members and staff, will miss the quiet competence, good-natured fairness, and gracious goodwill of this warm-hearted gentleman during his stewardship at the helm of the Intelligence Committee. He is truly one of the kindest and finest individuals to have served in this institution.

In conclusion, I would urge the adoption of the conference report, and, in doing so, I take this opportunity to salute my good friend, Lou STOKES, for his leadership on this legislation and throughout the last 2 years as chairman of the Intelligence Committee.

□ 1545

It also should be mentioned that our committee is unusually blessed by very dedicated and able, keenly intelligent and energetic staff, Mr. Tom Smeeton of the minority, Steve Nelson of the minority, Diane Dornan of the minority, Marty Faga, Mile O'Neill and Diane Andrews of the majority, and several others. In fact, all of the staff are dedicated public servants and help make our difficult job somewhat easier.

Mr. Speaker, I yield 3 minutes to the gentleman from New Hampshire [Mr. SMITH].

Mr. SMITH of New Hampshire. Mr. Speaker, I thank the gentleman from Illinois for yielding time to me.

Mr. Speaker, I rise to briefly address section 404 of the conference report. This section requires that all live sighting reports that correlate or could possibly correlate to an American missing in action from the Vietnam war be made available to the next of kin of that citizen.

I originally offered this language as an amendment to the intelligence bill when it was first considered by the House back in May of this year. It was the product of a compromise worked out between myself and Representative SOLARZ. I would like to take this opportunity to thank the chairman of the committee, Mr. STOKES, and the ranking minority member, Mr. HYDE, for keeping this important language in the conference report. I also thank the gentleman from California [Mr. LAGOMARSINO], the gentleman from New York [Mr. SOLARZ], and the gentleman from New York [Mr. SOLOMON] for their support and efforts to work out this compromise language.

Mr. Speaker, the purpose of section 404 is simple. It would place current POW/MIA disclosure policy into law. It is the culmination of nearly 4 years of work on my part and on the part of many of my colleagues on both sides of the aisle.

While I fought for and would have preferred stronger disclosure language, as contained in H.R. 2260, a bill that I had introduced in April of last year, I believe section 404 is an important first step. Family members of our POW's and MIA's have suffered for far too long, waiting for any shred of information regarding the fate of their missing relative. They should have access to all reports regarding their relative, and section 404 will ensure that they do. It is long overdue and welcome.

Section 404 will also ensure that the next administration is bound by current policy. The POW/MIA issue is too important to be subject to partisan whims and political pressure. Our policy must remain consistent—from administration to administration.

Additionally, this section will put the DIA and other Government agencies on notice that we expect their fullest cooperation with the family members.

In closing, Mr. Speaker, it is fitting that this legislation should pass during this week as we celebrate POW/MIA recognition day this coming Friday. Hopefully, we will soon not need any more recognition days and will achieve a full accounting of all those listed as missing in action. I for one pledge to continue my efforts to achieve this goal and am heartened by the victory we have today. While it may be small, any victory is welcome when you are a family member who has waited for 20 years and heard nothing.

Mr. HYDE. Mr. Speaker, I thank the gentleman from New Hampshire for his comments.

Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. LAGOMARSINO].

(Mr. LAGOMARSINO asked and was given permission to revise and extend his remarks.)

Mr. LAGOMARSINO. Mr. Speaker, I thank the gentleman from Illinois for yielding time to me.

Mr. Speaker, I rise in support of the Intelligence Act authorization and to point out an important provision relating to our POW/MIA's in Southeast Asia.

During consideration of this legislation in the House on May 26, 1988, I worked with my colleagues BOB SMITH of New Hampshire, JERRY SOLOMON, STEVE SOLARZ, and BEN GILMAN in offering an amendment that would require all intelligence agencies to make available to the families of our missing servicemen all records and reports, including live sightings, which correlate or could possibly correlate to their next of kin. This amendment maintains the privacy of the families and protects our sources and methods of intelligence collection. In other words, it codifies into law the current Defense Department "full disclosure" policy, and will bind the next administration. This "Smith" amendment became part of the bill, without objection, and, as chairman of the House POW/MIA Task Force, I am very encouraged that it was retained by the conference.

The crafting of this provision, and the strong support it has received, clearly shows the solid, unified, bipartisan way Congress is helping to resolve the fate of these brave Americans. This amendment is also endorsed by the National League of Families—the relatives of our POW/MIA's. Of course, the real obstacles to gaining the fullest possible accounting of our POW/MIA's lie in Hanoi, not Washington.

I urge my colleagues to join me in supporting this important measure and ensuring that America's longing POW/MIA families receive the information to which they are entitled about their missing fathers, brothers, husbands, and sons.

Mr. STOKES. Mr. Speaker, I yield myself such time as I may consume.

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Mr. Speaker, section 404 of the conference report is identical to section 404 of the House-passed bill. This section was offered as an amendment by the gentleman from New Hampshire [Mr. SMITH] and was language that had been worked out between the Intelligence and Foreign Affairs Committees, the POW/MIA Task Force, the Defense Intelligence Agency, and the National League of Families. It is an accurate and straightforward codification of the current DIA disclosure policy with respect to information, including live sightings, about POW/MIA's from the Vietnam era. It is a responsible piece of legislation and I applaud the interest of the gentleman from New Hampshire in working with the committees on it.

Mr. HYDE. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. LUNGREN], a very valued member of our committee who will be leaving us, unfortunately, at the end of this year.

(Mr. LUNGREN asked and was given permission to revise and extend his remarks.)

Mr. LUNGREN. Mr. Speaker, as a member of the committee I would just like to add my words to those of others in terms of concern expressed over the level of security that presently exists at missions around the world. I hope that the statements that were entered into the RECORD here today will guide the State Department and others to take seriously the mission that they have in this regard. I want to make it clear that it is a bipartisan concern and it is a bipartisan hope that that concern will be addressed.

Second, as a Member who has had the opportunity to work for 2 years on this committee, I still have a concern as to the emphasis we have on the counterintelligence side of our operations. I believe the authorization that we bring forward gives us an opportunity to have that emphasis expressed.

Finally, Mr. Speaker, as we talk about these various things, it seems sometimes that we are reluctant to express the qualities that we find in the personnel who are involved in our intelligence community representing the United States, both within this country and around the world. I for one would like to say that my 2 years' experience on this committee has given me an insight into the quality of people we have working in this field and the tremendously simulating, in an intellectual sense, activities they are involved in, and the enormous contribution they make to our country as well as the sacrifices they make. Because of the nature of the work, much of what they have done is not commonly talked about or publicly expressed. Nonetheless, it seems to me important that we acknowledge the work that they have done, and that we let our constituents know that they are tremendously well served by the men and women who presently populate our intelligence services. Perhaps

many times they are taken for granted, sometimes because they are out of the public eye, but other times just because they happen to be doing a very, very good job. Mr. Speaker, they are doing an indispensable job; in other words, one we could not possibly do without.

I thank the gentleman from Illinois for yielding me this time.

Mr. HYDE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. STOKES. Mr. Speaker, I yield myself such time as I may consume.

Mr. SPEAKER, I just want to take an additional moment to add my comments to the notification that the gentleman from California [Mr. LUNGREN] also will be leaving this committee. He has certainly been one of the valuable members of this committee and one whom we have depended upon a great deal during the time of his service on this committee. His service has certainly been outstanding, and we want to congratulate him not only for the service he has rendered to this committee, but for the service he has rendered in this body.

I also want to acknowledge with appreciation the comments of my distinguished friend and the ranking minority member of this committee, the gentleman from Illinois [Mr. HYDE], a gentleman for whom I have had great respect and admiration in this body. Serving with him on this committee has been a real delight for me. We have never had a disagreement on any issue. We have worked in strictly a bipartisan manner to try and do the business of this committee.

While philosophically there may be issues upon which we have disagreed, in terms of matters related to the national security of this Nation and the operation of this committee, it has been a real pleasure to work with him, and I appreciate very much the contribution he makes to this body.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York [Mr. McHUGH], a member of this committee.

Mr. McHUGH. Mr. Speaker, I thank the gentleman for yielding time to me. I rise in support of the conference report. As the chairman and the gentleman from Illinois [Mr. HYDE] have indicated, this conference report enjoys bipartisan support, which I think is a tribute, among other things, to the quality of work of the intelligence community, the quality of the leadership of the committee on both sides of the aisle, and to the quality of the staff that serves us all so well.

□ 1600

I think from time to time there is controversy surrounding aspects of the work of the intelligence community and, unfortunately, that tends to mask the broad support that the intelligence community truly enjoys.

The work that it does is critically important to the security of the United

States. Ninety-five percent of the work that it does is understood to be critical to our national security and in fact enjoys bipartisan support which is reflected in this bill.

I would also like to take a moment, Mr. Speaker, to add my words of admiration and commendation to our distinguished chairman. I have had the privilege of serving on this committee now for 4 years.

One of the great benefits in doing so, among many, has been in serving under two very distinguished chairmen, the gentleman from Indiana [Mr. HAMILTON] and the gentleman from Ohio [Mr. STOKES].

These gentlemen are among the very best that public service has to offer, not only in this Congress but in the country. It is a real joy and an education to serve with them and to learn from them and in some small way to contribute with them to the work of this committee which is so important to the Congress and to the country.

I also want to comment the ranking member, the gentleman from Illinois [Mr. HYDE], with whom I sometimes disagree on a small fraction of issues, but for whom I have great admiration as well.

Mr. STOKES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the distinguished gentleman from New York who is chairman of the Subcommittee on Legislation of the Permanent Select Committee on Intelligence, not only for his nice remarks but for the type of service he has rendered both to this committee and to this Congress.

It has been a real joy to serve with MATT who is one of the most able Members of this body. I certainly appreciate the service we have had together.

Last, Mr. Speaker, I just want to say that we have been privileged on this committee to have the benefit of one of the finest, most professional staffs that I have ever been privileged to serve with on any committee here in the Congress. No amount of praise can be given them that is unwarranted. They are some of the finest people that I have ever had the privilege of working with and this Congress is indeed fortunate to have the services of this staff.

Mr. TRAFICANT. Mr. Speaker, I rise in strong support of the conference report on H.R. 4387, the Intelligence Authorization Act for Fiscal Year 1989. I want to commend my esteemed colleague from Ohio, LOUIS STOKES, for the leadership he displayed in crafting this legislation. Chairman STOKES was a key member of the joint congressional committee that investigated the Iran-Contra affair and has been a leader in reforming and improving United States intelligence operations.

The conference report we are considering today includes several provisions designed to avoid the serious foreign policy blunders we saw in the Iran-Contra affairs. Mr. Speaker, if we learned anything from the Iran-Contra

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affair it is that the executive and legislative branches must work together to address vital national security problems. Complex and important covert actions cannot be contracted out and performed by private individuals or government agencies not experienced in covert or intelligence activities.

The conference report on H.R. 4387 addresses some of the concerns that were raised during the Iran-Contra affair by providing that any assistance to the Nicaraguan Contras must be explicitly authorized and approved by Congress. Mr. Speaker, despite almost 8 years of fighting against the Sandinista government, the Contras have yet to display the type of unity, sense of purpose, and widespread support so vital to any democratic movement. Most disturbing is the fact that the Contras have been led by individuals more concerned with personal gain and power than with establishing real democracy in Nicaragua. The inept, greedy, and corrupt leadership of the Contra movement will doom that movement to failure—no matter how much aid we send them.

Mr. Speaker, I join with my Democratic and Republican colleagues in condemning the Sandinista government's refusal to loosen their grip on power and allow true democracy to take root in Nicaragua. As much as I oppose the Sandinistas, I do not believe that further aid to the Contras will result in democracy for Nicaragua. However, because of the vital importance of this issue, it is essential that any future shipments of aid to the Contras be thoroughly debated by Congress.

That is why I strongly support the language included in the conference report that bars the CIA, Department of Defense, or any other agency or entity of the Federal Government from providing funds, material, or other assistance to the Contras unless authorized in this or separate legislation. This provision is broader than the language currently in place which prohibits assistance to the Contras by any entity engaged in intelligence activities. This loophole allowed the Reagan administration to justify the National Security Council staff's activities in the Iran-Contra affair by claiming that the NSC is not an intelligence agency.

Mr. Speaker, we live in a dangerous world. This reality demands that the United States undertake certain essential covert actions to protect our security. Because of the sensitive and vital nature of many of these activities, it is essential that the President inform the Congress of covert actions in a timely manner and work with the Congress to protect and ensure national security.

The Iran-Contra affair is tragic proof that America cannot afford to have major foreign affairs initiatives undertaken by inexperienced cowboys. Hopefully, H.R. 4387 will prevent another embarrassing and damaging foreign policy debacle from ever taking place.

Mr. Speaker, there is one other important provision in this bill that I would like to make note of. The bill requires any department or agency funded under the bill which has live sighting reports of United States citizens unaccounted for in the Vietnam conflict, to make such reports available in a timely manner to the next of kin. The families of the thousands of MIA's from the Vietnam conflict still are haunted by the fact that their loved ones still might be alive in Southeast Asia. If any U.S. Government agencies or departments have in-

formation on live sightings of U.S. MIA's in Southeast Asia, this information should be provided to the next of kin as soon as possible.

Mr. Speaker, the conference report on H.R. 4387 is an important piece of legislation and I urge my colleagues to support its approval.

Mr. STOKES. Mr. Speaker, I have no further requests for time and I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. STOKES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report just agreed to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

ANNUAL REPORT OF ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION FOR 1987—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Public Works and Transportation:

(For message, see proceedings of the Senate of today, Wednesday, September 14, 1988.)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 5, rule I, the Chair will now put the question on both motions to suspend the rules on which further proceedings were postponed on Tuesday, September 13, 1988, in the order in which that motion was entertained.

Votes will be taken in the following order: H.R. 4994, by the yeas and nays, and H.R. 5133, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

FEDERAL PRISON INDUSTRIES REFORM ACT OF 1988

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 4994.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin [Mr. KASTENMEIER] that the House suspend the rules and pass the bill, H.R. 4994,

on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 252, nays 163, not voting 16, as follows:

[Roll No. 313]

YEAS—252

Ackerman	Gonzalez	Nowak
Akaka	Goodling	Oakar
Anderson	Gordon	Oberstar
Andrews	Gradison	Obey
Annuzio	Grant	Olin
Aspin	Gray (IL)	Ortiz
Atkins	Gray (PA)	Owens (NY)
AuCoin	Green	Owens (UT)
Bartlett	Guarini	Packard
Bateman	Hall (OH)	Panetta
Bates	Hall (TX)	Pease
Bellenson	Hamilton	Pelosi
Bennett	Hatcher	Pepper
Berman	Hawkins	Perkins
Bevill	Herger	Petri
Bilbray	Hertel	Pickett
Boggs	Hochbrueckner	Pickle
Boland	Holloway	Rangel
Bonker	Houghton	Ray
Borski	Hoyer	Richardson
Bosco	Hubbard	Ridge
Boucher	Hughes	Rinaldo
Boxer	Hyde	Rodino
Brennan	Jacobs	Roe
Brooks	Jeffords	Rogers
Brown (CA)	Jenkins	Rostenkowski
Brown (CO)	Johnson (CT)	Roth
Bryant	Johnson (SD)	Roukema
Bustamante	Jones (NC)	Rowland (CT)
Cardin	Jones (TN)	Rowland (GA)
Carper	Jontz	Roybal
Chandler	Kanjorski	Russo
Clay	Kaptur	Sabo
Clinger	Kastenmeier	Saiki
Coats	Kennedy	Savage
Coelho	Kennelly	Sawyer
Coleman (TX)	Kildee	Saxton
Collins	Kleczka	Scheuer
Conte	Kolter	Schneider
Conyers	Konnyu	Schroeder
Costello	Kostmayer	Schumer
Courter	LaFalce	Sharp
Coyne	Lantos	Shaw
Craig	Leach (IA)	Shays
Crockett	Leath (TX)	Shumway
Davis (IL)	Lehman (CA)	Sikorski
de la Garza	Lehman (FL)	Siskis
DeFazio	Levin (MI)	Skaggs
Dellums	Levine (CA)	Skeen
DeWine	Lewis (GA)	Slattery
Dicks	Lipinski	Slaughter (NY)
Dingell	Livingston	Smith (FL)
DiGuardi	Lowry (WA)	Smith (IA)
Dixon	Lujan	Smith (NE)
Donnelly	Lungren	Smith (NJ)
Dorgan (ND)	Manton	Smith (TX)
Downey	Markey	Snowe
Durbin	Matsui	Solarz
Dwyer	Mavroules	Spratt
Dymally	Mazzoli	St Germain
Dyson	McCandless	Staggers
Early	McCloskey	Stallings
Edwards (CA)	McCollum	Stokes
English	McCurdy	Stratton
Erdreich	McHugh	Studs
Espy	McMillen (MD)	Swift
Evans	Meyers	Synar
Fascell	Mifune	Thomas (CA)
Fawell	Michel	Thomas (GA)
Fazio	Miller (CA)	Torres
Feighan	Mineta	Torricelli
Fish	Moakley	Udall
Flake	Molinari	Vento
Filippo	Montgomery	Walgren
Florio	Moody	Weiss
Foglietta	Moorhead	Wheat
Foley	Morella	Whittaker
Ford (TN)	Morrison (CT)	Whitten
Frank	Mrazek	Williams
Gallo	Murtha	Wilson
Gejdenson	Nagle	Wolf
Gephardt	Natcher	Wyden
Gibbons	Nichols	Wylie
Gilman		Yates

NAYS—163

Alexander	Archer	Ballenger
Anthony	Armey	Barton
Applegate	Baker	Bentley